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September 16, 2020

The Honorable Paul G. Gardephe
United States District Judge
Southern District of New York
Thurgood Marshall Courthouse
40 Foley Square
New York, New York 10007

MEMO ENDORSED

The application is denied.

SO ORDERED.



Paul G. Gardephe

United States District Judge

September 17, 2020

Re: United States v. Hammatt et.al
19 Cr. 067 (PGG)

Dear Judge Gardephe:

I write on behalf of my client Christopher Hammatt to respectfully request a modification of his bail condition to allow the substitution of the "SMARTLINK" GPS location device to be placed on his cell phone to monitor his location in lieu of the ankle worn device with constant GPS monitoring that he is presently required to wear.

Mr. Hammatt is employed as a long-haul truck driver. This job requires him to travel throughout several states oftentimes carrying heavy cargo and necessitates some handling and securing of the cargo. On more than one occasion Mr. Hammatt reports that he has fell or tripped as a result of the ankle device hooking on a part of the machinery, thereby presenting a health and or safety issue. Installation of the SMARTLINK device would alleviate this safety concern.

SMARTLINK is an app downloaded to the holder's phone, it will note and transmit the location of the phone and Mr. Hammatt, when Mr. Hammatt calls his pre-trial officer. He is willing to call as many times a day as the court or pre-trial officer requests.

I have consulted with Mr. Hammatt's pre-trial officer in California who supervises Mr. Hammatt as a courtesy to the SDNY pre-trial officer, and he supports this request. However Pre-trial in the Southern District of New York opposes this request, as does the Government.

Respectfully submitted,

/s/

Donald duBoulay

cc: Nicholas Chiuchiolo, AUSA
Lea Harmon, PTO